INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
IAB IV#2073432

Subjects: **DEPUTY JOSEPH VASQUEZ** [redacted]
DEPUTY JAMES ROYAL [redacted]
DEPUTY ANTHONY HACKETT [redacted]

Date: **September14, 2001**

Time: **1236 Hours**

Location: [redacted] **Mansel Avenue, Lawndale**

SUMMARY:

On Friday, September 14, 2001, Sergeants Elier Morejon and Henry Reyes along with Lieutenant Gregory Johnson of the Internal Affairs Bureau responded to Lennox Station regarding a deputy involved hit shooting. Deputies Vasquez, Royal and Hackett were involved a hit shooting with an assaultive suspect.

On August 22, 2002, the Executive Force Review Committee was presented with Internal Affairs Bureau Case FO#2045400. It was determined by the committee that Deputies Joseph Vasquez, James Royal and Anthony Hackett [redacted]

The summary of this incident is based on information obtained from reports, memoranda, and other documents regarding Lennox Station File #001-11326-0332-058, interviews of involved sworn personnel and civilian witnesses. **(See Exhibit - A)**

SUSPECT

ALEX QUINCY CARTER MB/03-19-79 (DECEASED)

A criminal inquiry on Suspect Carter [redacted] **(See Exhibit - B)**

CIVILIAN WITNESSES:

[redacted]

Mrs. [redacted] said around 1:00 PM., 09-14-01, she drove west onto Manhattan Beach Boulevard, from the Bay Cities Car Wash which is located west of Hawthorne Boulevard on Manhattan Beach Boulevard. She stopped for a red traffic signal at Firmona Avenue and noticed an individual (Suspect Carter), on a moped that appeared inoperable. The suspect was traveling northbound Firmona Avenue. Suspect Carter dropped the moped on the center divider of Manhattan Beach Boulevard. He walked north across the westbound traffic lanes of Manhattan Beach Boulevard, behind her car. As she proceeded west through the intersection of Firmona Avenue, she saw the suspect stopping west bound traffic. She observed the suspect pounding on motorist windows, climbing onto the hoods of vehicles and lying across them. After making contact with the vehicle, the suspect would step aside and allow the motorist to proceed. The suspect would immediately move in front of the next vehicle and stop it. Mrs. [redacted] said, she watched the suspect run into the westbound traffic lanes from the center divider and stand directly in front of approaching traffic. The suspect would extend his arms for the motorist to stop. The suspect would walk to the driver's or passenger's windows and pound on the windows, continually ranting and raving unintelligibly.

Mrs. [redacted] said she pulled to the curb and continued watching the suspect's actions. The situation with the suspect appeared to be escalating. Using her cellular telephone, she called the Lennox Sheriffs Station Dispatch Center and reported the activity she observed. The moped did not appear to have a working engine. The suspect propelled the moped with his legs while seated. She described the suspect's behavior as very erratic and abnormal. Mrs. [redacted] said the suspect continued running and walking directly in front of westbound motorist stopping their vehicles. Once the suspect had a vehicle stopped, he would hit the windows with his fist and hands, kick the vehicle or attempt to climb onto the hood and lay across it.

The suspect created a major traffic hazzard, which was evident as several motorist blew their horns and navigated their vehicles around the suspect. Mrs. [redacted] said, she continually updated the dispatcher with the suspect's actions and location. At one point, the suspect left the westbound traffic lanes, walked across the center divider and began stopping vehicles in the eastbound traffic lanes. The suspect was nearly struck by motorist on several occasions, because he walked in front of moving motor vehicles. She estimated this activity continued for approximately 10 minutes before the first Sheriffs unit arrived. Mrs. [redacted] said when the suspect heard the siren of the first Sheriffs unit approaching, he picked up the moped and began to travel north down the center of Mansel Avenue.

Mrs. [redacted] said based on the suspect's bizarre behavior, she followed the first Sheriffs unit north on Mansel Avenue, because the deputy was alone, she knew the deputy would need help. She was

still on her cellular telephone with the dispatch center when the first deputy arrived. She informed the dispatcher that the deputy needed back-up, because the suspect was "totally out of control and being combative." The dispatcher told her two additional units were en-route and to continue to monitor the situation. Mrs. [redacted] said the first deputy on scene caught up to the suspect about mid block. The deputy stopped his vehicle in the middle of the street. She stopped her vehicle two or three houses south of the deputies position and exited her vehicle to further observe. She saw the deputy exit his vehicle and immediately un-holster his firearm, pointing it at the suspect, while ordering the suspect to lay on the ground. The deputy was standing approximately five feet in front of the patrol unit. The suspect was approximately three or four feet north of the deputy. The deputy was yelling other instructions at the suspect, however; she could not decipher those instructions. The suspect complied by immediately getting on the ground and lying on his back. The suspect appeared agitated, because he was continually ranting and raving and mumbling unintelligibly. She said she heard the suspect say the word "God," a couple of times and immediately thrusting his arms towards the sky, "like he was pointing to heaven." Mrs. [redacted] could not hear exactly what the deputy was saying but assumed the deputy was ordering the suspect to lift his shirt, roll down his pants and discard his back pack. She saw the suspect lift his shirt, expose his waist band to the deputy and throw the backpack on the pavement.

Mrs. [redacted] said that when two additional Sheriffs units arrived she drove her vehicle into a driveway, to allow the additional patrol units access to the first deputy's position. Mrs. [redacted] said, the two additional deputies also removed their guns. They joined the first deputy, who was still holding the suspect at gunpoint. All three deputies converged on the suspect, who appeared to be complying with their orders. She could not hear what the deputies were saying. She described the suspect's response to the deputies commands as, "yelling, screaming, ranting and raving unintelligibly." Mrs. [redacted] said all of a sudden, the suspect jumped up to his feet and began approaching the deputies in an aggressive manner. She described the suspect's actions as "pointing fingers, yelling at the deputies, moving his arms and legs (resembling Kung Fu or Karate type movements), while aggressively moving forward kicking at the deputies." The suspect's movement towards the deputies was very fast. The suspect moved south towards the deputies in the middle of the street. She said the deputies moved backwards, but the suspect could have easily kicked a gun out of their hands. The suspect continued to move towards the three deputies. The deputies were continually yelling at the suspect to "get down, get down." Mrs. [redacted] said she saw additional backup deputies, arrive on Mansel Avenue from the north. The deputies were positioned in a semi-circle around the suspect, at the time of the shooting. All deputies present were wearing uniforms and were clearly identifiable as law enforcement personnel.

Mrs. [redacted] said the suspect moved towards the deputies, on three different occasions causing the deputies to retreat four or five feet. The deputies backed up to the front of the patrol units and had nowhere else to go. The suspect was jumping off the ground with both feet in the air, kicking as he aggressively moved closer to the deputies. At this point, the suspect was within arms reach of the deputies. Mrs. [redacted] said she turned away and moved behind her vehicle after she saw the suspect aggressing on the deputies while kicking at them. She described the suspect as very combative. He was not listening to the deputy's instructions and he appeared detrimental to the

deputies. Mrs. [redacted] said the deputies shot at the suspect and the suspect fell to the pavement. The suspect was lying on his back. When the shots were fired, she was moving behind her vehicle and did not see who discharged their weapon. She estimated between six and eight shots were fired. Mrs. [redacted] said the suspect continued to be combative, while he laid on the ground. He appeared to be attempting to get up from the pavement. His arms and legs were still flailing and kicking, and he was mumbling unintelligibly. The deputies kept their guns pointed at the suspect until additional backup deputies arrived. She was present and observed the fire/ rescue paramedic units arrive and treat the suspect.

Mrs. [redacted] said in her opinion, the deputies had to shoot the suspect for their protection. The suspect kept "coming" at the deputies. They had no other option and they had to get a hold of the situation. They tried speaking to him in order to come to a peaceful conclusion, but the suspect was not willing to cooperate.

[redacted]

Mr. [redacted] is employed by the [redacted] and was operating a [redacted] maintenance truck, east on Manhattan Beach Boulevard and Mansel Avenue. **(See Exhibit - L)** At approximately 12:45 PM ., while waiting to turn left onto Mansel Avenue, he saw a male black adult, (Suspect Carter), standing in the middle of the eastbound left turn pocket of Manhattan Beach Boulevard at Mansel Avenue. He was stopping motorist. The suspect "flipped him off and made hand gestures towards the sky." The vehicle to his right had to brake abruptly to avoid hitting the suspect. The suspect was on a scooter, got off, threw it down and walked into the traffic lanes. He appeared to be talking to himself. Mr. [redacted] could not hear or understand what the suspect was saying. The suspect appeared agitated and was making hand gestures towards the sky and .'flipping motorist off." He did not observe the suspect make physical contact with any vehicles or motorist. He monitored the suspect for approximately 30 seconds before the first patrol unit arrived.

Mr. [redacted] said he became more concerned, when he saw the suspect walk back to the scooter because he appeared to be obtaining something from a bag attached to the scooter. He considered backing up his truck, but it was at that time, that he saw the first patrol unit arriving west on Manhattan Beach Boulevard. Mr. [redacted] said, the suspect went north on Mansel Avenue prior to the police arriving. The police followed the suspect, who was riding on the scooter. The police caught the suspect north of Manhattan Beach Boulevard on Mansel Avenue, approximately mid block. He made a left turn on Mansel Avenue and stopped near the southeast corner. Almost immediately afterwards, three or four assisting patrol units arrived. He blocked the intersection of Mansel Avenue and Manhattan Beach Boulevard with orange traffic cones. Mr. [redacted] said from his position (southeast corner of Mansel Avenue), he saw the first deputy to arrive on scene. He was detaining the suspect at gunpoint. He did not see the assisting deputies draw their firearms. The first deputy to arrive on scene appeared to be speaking to the suspect. The suspect was lying on the

ground in front of the patrol units. The deputies were in the street north of him, approximately seven or eight houses. He did not know what the suspect did to provoke the deputies, but he heard gunfire. He heard four or five shots fired simultaneously. Prior to hearing the gunshots, he did not observe the suspect addressing or approaching the deputies, nor did he hear the deputies addressing the suspect or see the deputies retreating. He was unable to observe what the suspect or deputies were doing, because his view was obstructed by vehicles parked along the east curb of Mansel Avenue and patrol units in the street.

[redacted]

Mr. [redacted] said between 12:45 P.M. and 12:50 P.M., he was in the [redacted] Maintenance yard. He monitored a radio call from [redacted], requesting the sheriff's be notified reference a "crazy guy" on Manhattan Beach Boulevard and Mansel Avenue. The subject was on a moped, banging on vehicles and yelling at motorist. He immediately responded to the area to assist [redacted] As he was driving east on Manhattan Beach Boulevard, he saw sheriff units turning north on Mansel Avenue from Manhattan Beach Boulevard. When he arrived, he parked his truck north of [redacted] vehicle at the southeast corner of Mansel Avenue, north of Manhattan Beach Boulevard. He saw a "black guy" (Suspect Carter), standing in the middle of the street. Two sheriff's deputies were in the street south of the suspect. The deputies had their guns pointed at the suspect. One deputy was standing behind a patrol unit parked near the west curb. The other deputy was standing east of a patrol unit parked in the center of the street.

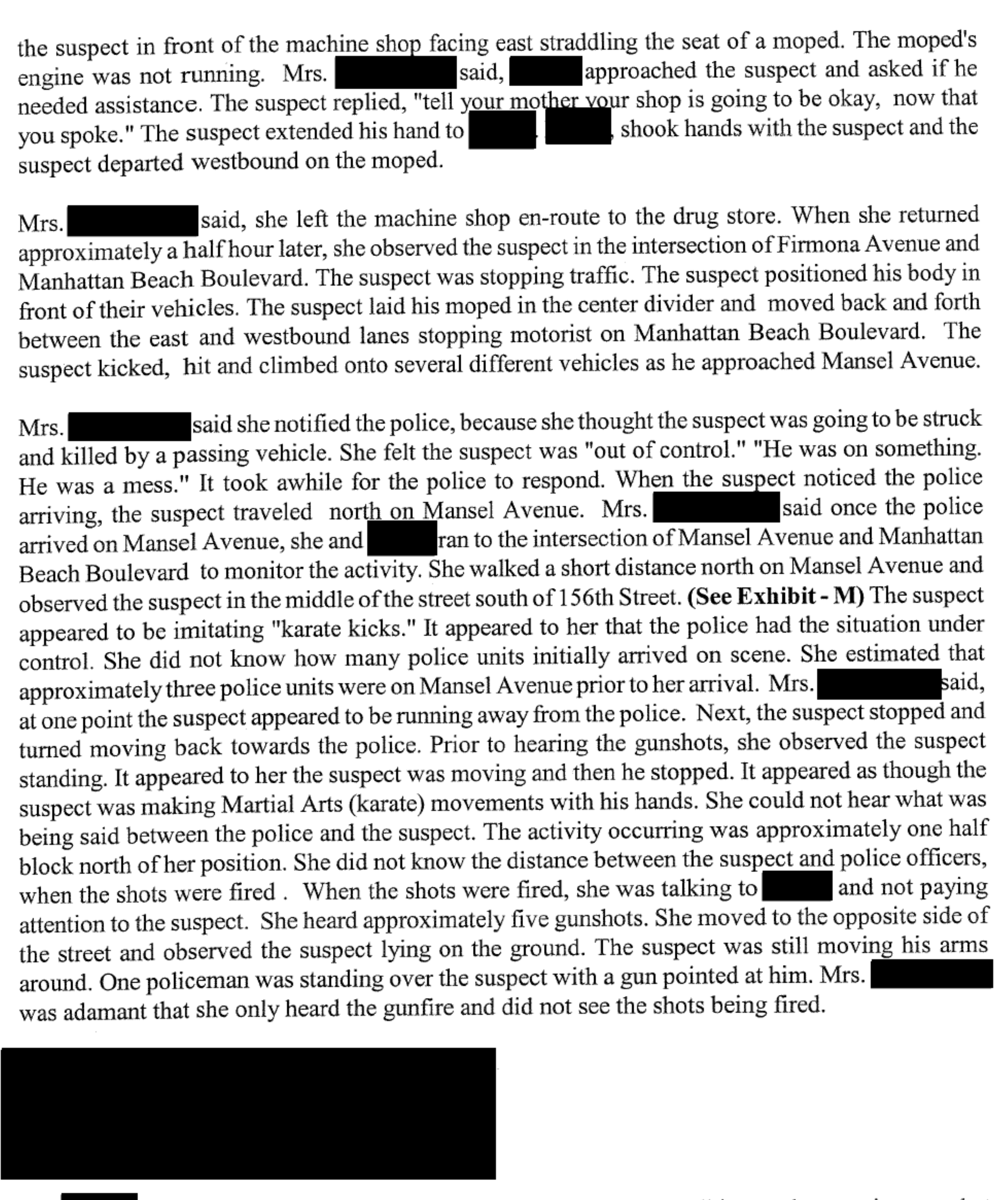
He recognized Deputy Joseph Misplay, who was on scene. Mr. [redacted] was standing near the west curb approximately 100 feet north of Manhattan Beach Boulevard. He said Deputy Misplay was approximately 50 feet north of his position near the east curb. Mr. [redacted] said, he turned away to tell [redacted] and the other [redacted] to place traffic cones in the roadway. He faced north again and observed the suspect approaching the deputies. The suspect had his hands down near his waist. He heard the deputies yelling at the suspect to "get down." The suspect was "acting crazy," waving his arms above his head. He never observed the suspect lying on the pavement prior to the shooting. Mr. [redacted] described the suspect's movements towards the deputies as a "fast walk," while continually flailing his arms above his head like a "madman." As the suspect was approaching the deputies, he was unable to see if the suspect had anything in his hands. The suspect was wearing black or dark colored clothing. The suspect continued moving forward and a deputy fired. The deputies moved a few steps backwards before firing on the suspect. He heard three or four shots fired simultaneously. He believes the shots were fired by one deputy.

[redacted]

Mrs. [redacted] said on Friday, 09-14-01 at approximately 12:37 P.M., she was driving a blue, 1988 Mercury Tracer west on Manhattan Beach Boulevard from Hawthorne Boulevard. As she was approaching Firmona Avenue, she saw a Black gentleman (Suspect Carter), pushing a motorbike into the east and westbound traffic lanes of Manhattan Beach Boulevard. As she approached Firmona Avenue in the number one lane, the traffic signal cycled to red. Mrs. [redacted] said, the suspect was approaching the center divider. The suspect dropped the motorbike in the eastbound lanes of Manhattan Beach Boulevard. The motorbike created a road obstacle for eastbound motorist. The suspect ran north across the center divider and dashed into the westbound traffic lane. The suspect stood in front of her vehicle forcing her to stop east of the limit line. The suspect held his hands up as if he was stopping or directing traffic. Suddenly, the suspect jumped onto the hood of her vehicle. The suspect climbed down off her vehicle and stood in front of the front bumper. The suspect placed one foot on her bumper and made a fist. The suspect shook his fist and began screaming, "are you a very religious person?" Mrs. [redacted] said at one point, the suspect removed his foot from the bumper and moved towards the center lane. She inched forward in an attempt to drive away. The suspect quickly returned to the front of her vehicle. He placed his foot on her front bumper again asking, "are you religious?" The suspect approached the driver's side of her vehicle. She immediately rolled the driver's window up and locked all the doors. The suspect was continually screaming and yelling phrases about "God and religion." Mrs. [redacted] said, the suspect walked to the rear of her vehicle, by that time the traffic signal had changed to green for westbound traffic. She accelerated away and the suspect kicked the back of her vehicle as she drove off. There was a red Mercedes Benz vehicle behind her vehicle that the suspect attempted to stop. The driver of the Mercedes Benz, accelerated past the suspect following her vehicle through the intersection. Mrs. [redacted] said when she first observed the suspect, she thought he may have been under the influence of alcohol. The more she observed his behavior, she thought he had probably ingested narcotics. The suspect appeared "very angry ." She also believed the suspect was harassing her because of her appearance. Mrs. [redacted] said shortly thereafter, she drove past the same location again and observed police activity in the area. She thought the suspect had "done something wrong to someone else." She returned to her office and told her co-workers about the incident. Mrs. [redacted] said on Sunday, she read an article in the newspaper regarding the suspect being shot by the police. She consulted with friends and decided to notify the authorities, because she observed the suspect's bizarre behavior. [redacted] said the suspect really frightened her.

[redacted]

Mrs. [redacted] owns and operates [redacted] machine shop, located at [redacted] City of Lawndale. The machine shop is located on the south side of [redacted] On the afternoon of 09-14-01, Mrs. [redacted] made a 9-1-1 telephone call to the Lennox Sheriffs Station reporting information regarding the suspect. Mrs. [redacted] said on 09-14-01 at approximately noon, she and her son [redacted] were inside the machine shop. The front door and lift garage door to the location were open. She observed



the suspect in front of the machine shop facing east straddling the seat of a moped. The moped's engine was not running. Mrs. [redacted] said, [redacted] approached the suspect and asked if he needed assistance. The suspect replied, "tell your mother your shop is going to be okay, now that you spoke." The suspect extended his hand to [redacted]. [redacted], shook hands with the suspect and the suspect departed westbound on the moped.

Mrs. [redacted] said, she left the machine shop en-route to the drug store. When she returned approximately a half hour later, she observed the suspect in the intersection of Firmona Avenue and Manhattan Beach Boulevard. The suspect was stopping traffic. The suspect positioned his body in front of their vehicles. The suspect laid his moped in the center divider and moved back and forth between the east and westbound lanes stopping motorist on Manhattan Beach Boulevard. The suspect kicked, hit and climbed onto several different vehicles as he approached Mansel Avenue.

Mrs. [redacted] said she notified the police, because she thought the suspect was going to be struck and killed by a passing vehicle. She felt the suspect was "out of control." "He was on something. He was a mess." It took awhile for the police to respond. When the suspect noticed the police arriving, the suspect traveled north on Mansel Avenue. Mrs. [redacted] said once the police arrived on Mansel Avenue, she and [redacted] ran to the intersection of Mansel Avenue and Manhattan Beach Boulevard to monitor the activity. She walked a short distance north on Mansel Avenue and observed the suspect in the middle of the street south of 156th Street. **(See Exhibit - M)** The suspect appeared to be imitating "karate kicks." It appeared to her that the police had the situation under control. She did not know how many police units initially arrived on scene. She estimated that approximately three police units were on Mansel Avenue prior to her arrival. Mrs. [redacted] said, at one point the suspect appeared to be running away from the police. Next, the suspect stopped and turned moving back towards the police. Prior to hearing the gunshots, she observed the suspect standing. It appeared to her the suspect was moving and then he stopped. It appeared as though the suspect was making Martial Arts (karate) movements with his hands. She could not hear what was being said between the police and the suspect. The activity occurring was approximately one half block north of her position. She did not know the distance between the suspect and police officers, when the shots were fired . When the shots were fired, she was talking to [redacted] and not paying attention to the suspect. She heard approximately five gunshots. She moved to the opposite side of the street and observed the suspect lying on the ground. The suspect was still moving his arms around. One policeman was standing over the suspect with a gun pointed at him. Mrs. [redacted] was adamant that she only heard the gunfire and did not see the shots being fired.

[redacted]

Mr. [redacted] said on the afternoon of 09-14-01, he saw the suspect talking to the crossing guard at the southeast corner of Firmona Avenue and Manhattan Beach Boulevard. Shortly thereafter, the suspect arrived on the sidewalk in front of his business. The suspect was straddling the seat, while

pushing a broken down moped. The suspect was wearing a backpack and mumbling incoherently to himself. Mr. [redacted] said, he and the suspect made eye contact with each other. He walked out onto the sidewalk and spoke to the suspect. The suspect looked at him for a second and laughed. The suspect replied, "tell your [redacted] your shop is going to be alright because you spoke." The suspect shook hands with Mr. [redacted] and continued moving into the eastbound traffic lanes of Manhattan Beach Boulevard, mumbling to himself.

Mr. [redacted] said the suspect pushed the moped in front of oncoming traffic, causing motorist to break and swerve to avoid hitting the suspect. The suspect remained in the street stopping motorist and talking to himself for awhile. Mr. [redacted] said, [redacted] finally telephoned the police. Mr. [redacted] said, he observed the suspect lay down in the street in front of approaching vehicles, at the intersection of Mansel Avenue and Manhattan Beach Boulevard. When the motorist stopped, the suspect stood up to his feet and laughed at the driver. Mr. [redacted] describe the suspect's position as, lying down on his back with both hands folded behind his head. Mr. [redacted] said, he assumed the suspect saw the first sheriffs unit responding, because the suspect got up and quickly pushed the moped northbound Mansel Avenue. He left his shop and ran to the corner of Manhattan Beach Boulevard and Mansel Avenue, for a better vantage point to observe the activity. Mr. [redacted] said, he saw the first responding deputy arrive on Mansel Avenue. There was a female motorist talking on a cellular telephone following the deputy's unit. By the time he arrived at the northwest corner of Mansel Avenue and Manhattan Beach Boulevard, two additional Sheriffs units had arrived. He saw the deputies with their guns drawn. He assumed the deputies were pointing their guns at the suspect. He could not hear what the deputies were saying to the suspect. He assumed the deputies were yelling at the suspect to stop or freeze. He did not initially see the suspect. His view was obstructed by vehicles parked on the street and further obstructed by the Sheriffs units. He could not see exactly what the deputies or suspect were doing. Mr. [redacted] said, he remembered hearing his mother ask him if the deputies had the suspect under control. As soon as she asked this question, he saw the deputies "scrambling, running and moving quickly." This was followed by a "couple of pops" which Mr. [redacted] described as six or seven gunshots.
Mr. [redacted] denied seeing the suspect making any aggressive movements towards the deputies. Investigators advised Mr. [redacted] that Mrs. [redacted] stated, she was standing next to him and she observed the suspect making karate type movements. Mr. [redacted] said from his vantage point, he could not distinguish the suspect from the deputies. There were a couple of "African American cops" on scene and he could not see what was occurring. He estimated approximately five deputies had arrived and formed a semi-circle south of the suspect's position, when the shooting occurred. He added, when the gunfire erupted he was looking in the opposite direction.

Mr. [redacted] said based on the suspect's demeanor, he was certain the suspect was on drugs. He has observed individuals under the influence of Phencyclidine and he likened the suspect's behavior to that of an individual on PCP. The suspect was continuously mumbling to himself and behaving irrational.


[redacted]

Witness [redacted] said she was driving east bound on Manhattan Beach Boulevard nearing Mansel Avenue. While driving in the number one lane of eastbound traffic, her attention was directed to a male Black adult riding on a bicycle. Her attention was directed to the male because of his bizarre behavior. The suspect, also in the number one lane of traffic, was in front of her car. The suspect got off his bike and threw it onto the roadway. The suspect began flailing his arms and yelling. He pointed his fingers at no one in particular, but his gestures were as if he had a gun in his hand. Witness [redacted] was intending to make a left turn onto Mansel Avenue to stop by her boyfriend's house. She became frightened because of the suspect's actions. She negotiated away into the number two lane of traffic, continued eastbound on Manhattan Beach Boulevard to Hawthorne Boulevard. Eventually she arrived onto Mansel Avenue and to her boyfriend's house. As she drove southbound on Mansel Avenue nearing her boyfriend's house, she saw the suspect still standing in the middle of Manhattan Beach Boulevard at the intersection of Mansel Avenue. She eventually parked her car just south of her boyfriend's house. During that time she observed the suspect walking northbound on Mansel Avenue. After parking she remained in her car for a brief period of time. She was fearful that the suspect would attempt to contact her. Ultimately she exited her car and hurried to the front door of her boyfriend's house. She knocked on the door and the door was answered by her boyfriend's father (Witness [redacted] Witness [redacted] entered the house and told Mr. [redacted] about the suspect and his actions. While inside the house she heard Mr. [redacted] say, "Is that the guy, is that the guy you saw?" She, Mr. [redacted] and her boyfriend stood in front of a picture window and looked onto the street. She saw the suspect walking northbound on Mansel Avenue, on his bike. A brief time lapsed and she heard sirens. She and the other two witnesses exited the house and went to the front lawn. She saw a number of police cars and Sheriffs deputies down the street, north of their position. She saw the suspect standing in the middle of the street, just north of the deputies. The deputies were standing in a arc south of the suspect. She believed the deputies were giving the suspect orders. She was unable to distinctly hear what the deputies were saying.

Witness [redacted] said all of a sudden the suspect threw his bike to the ground and began walking toward the deputies. She believed the suspect removed his jacket and/or his sweater. After doing so, the suspect lifted the front of the shirt exposing his belly, turn and lifted up the back of the shirt exposing his lower back. The suspect turned, faced the deputies and began throwing his arms in the air. She said his behavior was, exactly what he was doing to me." She said the suspect was pointing to the sky and making a gun sign. He began approaching the deputies and pointing. At this point the deputies began backing away from the suspect. The suspect began to run from one side of the street to another, east to west. As a suspect was doing so, he began striking his head with his hands. Witness [redacted] said, "the next thing I hear is gunshots." Witness [redacted] was unable to identify a particular deputy sheriff who fired his gun. She was also unable to determine how many deputy sheriff's may have had their weapons drawn, let alone fire their weapons. Witness [redacted] also said because of her short stature, the amount of vehicles in the street and the number of people in the street, she was unable to fully see the incident

[redacted]

Witness [redacted] said he opened his front door for Witness [redacted] As he let her into the house, she told him there was a "strange man" on Manhattan Beach Boulevard. She told him about the bizarre behavior of the Suspect. Witness [redacted] said he looked out of his top window but he didn't see the individual. He said at approximately 1235 hours, he exited his front door and saw two sheriff's cars going down the street. He asked Witness [redacted] to describe the suspect. He told Witness [redacted] that the, "sheriffs have him down the street." Witness [redacted] Witness [redacted] and Witness [redacted] went to the front yard. Witness [redacted] said additional police cars arrived. The activity was occurring approximately four houses north of his house.

Witness [redacted] saw several Sheriff's deputies surrounding the suspect in a semi circle fashion. The suspect was in the middle of the street walking back and forth and was flailing his arms in the air. He believed the suspect was not complying with instructions from the deputies. He was unable to determine what the deputies were saying. At one point, it appeared to Witness [redacted]hat the suspect was beginning to comply with instructions. He saw the suspect lift up his jacket, lift up his t-shirt and ultimately laid himself in a prone position in the street. Soon after, the suspect stood up and began walking around again. The suspect began striking himself on either side of his head with his fists. The suspect "began doing a little dance in the street." The suspect appeared to be ranting and raving. He could see the suspect's mouth moving but he could not hear what the suspect was saying. The suspect was flailing his fists in the air. Witness [redacted] said, at that time he seemed to make a move toward the officer in the middle of the street, it wasn't a full on attack, it was more of a forward lunge. The suspect was still flailing his arms. He said the officers were saying something to the suspect, but he could not make out what they were saying. He said the suspect, "made another move towards the officer in the middle and then shots were fired." Witness [redacted] estimated that approximately eight shots were fired in rapid succession. Soon additional police cars arrived with fire department personnel.

[redacted]

Witness [redacted] said he was inside of his room at his home. He heard his girlfriend, Witness [redacted] talking to his father about a Black male adult on Manhattan Beach Boulevard who, "like stopped her in the middle of the street." Witness [redacted] walked out of his room and contacted his girlfriend. He then heard his father (Witness [redacted] directing their attention to the suspect. Shortly thereafter, he, his father and his girlfriend went into the front yard. He saw two-three police cars arrive. The police cars were driving northbound on Mansel Avenue. They were behind the suspect. Witness [redacted] said he climbed on top of the wall that surrounds his front yard, "to get a better look at what's going on." He said his view was partially obstructed by police cars. He saw

the suspect standing in the middle of the street and deputies were standing around the suspect in a horseshoe type formation. The deputies were south of the suspect. The suspect was lying on the ground. He believed the deputies were giving the suspect orders but he could not hear what was being said. Initially it appeared that the suspect was cooperating with the deputies instructions. He saw the suspect rise from the ground, walked towards his bike which was laying in the middle of the street. He said it looked like the suspect was attempting to leave. Witness [redacted] said the deputies began yelling and the suspect turned around. Witness [redacted] said, "and at that time he was just like he looked all like crazy or something, you know, he's like slapping himself in the face. He wasn't charging the deputies, but he was just walking towards them." Witness [redacted] said the suspect took off a jacket or shirt and threw over his head. The suspect kept coming toward the deputies. He said the deputies had their guns drawn and were continuing to yell at the suspect. As the suspect approached the deputies, the deputies shifted their positions away from the suspect. Soon the deputies fired at the suspect. Witness [redacted] said the suspect was approximately ten feet from the deputies when the shots were fired. The suspect fell to the ground. Additional deputies and paramedics arrived.

DEPUTY WITNESSES:

DEPUTY JOSEPH MISPLAY

Deputy Misplay has been employed by the Los Angeles County Sheriff's Department since April,1991. He has been assigned to the Lennox Station since November 1997. He is currently assigned to the City of Lawndale, as part of the Special Assignment Team. On 09-14-2001, he was assigned to work a two man unit, #35-F (days) with Deputy Ryan Campbell [redacted] Deputy Misplay drove the assigned patrol unit. Deputy Misplay's uniform consisted of a green short sleeve polo shirt, containing Sheriff's insignia in yellow print, and blue denim pants.

Deputy Misplay said, he and his partner (Deputy Campbell) were at 166th Street and Prairie Avenue in Lawndale, [redacted] He said as they were [redacted] he heard a call over the radio of a possible 5150, male Black, at Manhattan Beach Boulevard and Hawthorne, throwing a bike at vehicles. He and his partner left the call they were on, and requested clearance to roll Code-3 to the call. They did not receive Code-3 clearance, however; they started rolling without red lights and sirens.

Deputy Misplay said, while en-route to the call they received updated information. The location had changed to the [redacted] block of Mansel Avenue. They drove west on Manhattan Beach boulevard and turned north onto Mansel Avenue. **(See Exhibit - K)** At this point, he heard a radio broadcast advising, "detaining one at gun point. Facing northbound." Deputy Misplay said, as he drove north on Mansel Avenue, he saw three patrol units stopped, facing north on Mansel Avenue. The three patrol units were parked side by side. As he drove north on Mansel Avenue, he had to navigate his patrol unit around several other vehicles that had stopped, because traffic was blocked further north. He believes he was the fourth patrol unit on scene and he realized that Mansel Avenue needed to be closed to all traffic. Deputy Campbell got out of the patrol unit and ran to assist Deputies Vazquez, Royal and Hackett. He put the patrol unit in reverse and drove south on Mansel

Avenue. He positioned and parked his patrol unit to stop further vehicular traffic, from driving north into the incident. When he exited the patrol unit, he heard several concerned citizens yelling at him to, "hurry up and get up there. They need your help." Deputy Misplay ran northbound, with his handgun in his hand, and as he reached the rear of the three responding patrol units he saw the suspect standing in the street. He heard an unidentified deputy yelling for someone to bring a stun bag shotgun. The suspect was waving his hands and arms above his head. He estimated the deputies were between 25 and 40 feet north of the patrol units. From east to west he observed Deputy Vazquez, Deputy Hackett and Deputy Royal. Deputy Campbell had taken a position east of Deputy Vazquez. The suspect was facing south towards the deputies.

Deputy Misplay said he had not seen the suspect's actions that precipitated the shooting, because Deputy Vazquez' body position obstructed his view. He was unable to articulate the distance between the deputies and the suspect, or the position of the suspect's hands at the time of the shooting. Deputy Misplay said, he was approaching the incident from the south traveling north. He was midway between the two patrol units in the center of the street, when he heard the gunfire.

Deputy Misplay did not observe the suspect advancing on the deputies. He heard the gunshots and he "knew the deputies had shot the suspect," however; he did not observe the threat. He heard between six and ten simultaneously fired gunshots. He said he immediately stared directing civilians away from the shooting scene and scanned the area for any additional threats. Deputy Misplay said after the suspect was shot, the suspect stumbled towards the east curb and fell in the street, several feet west of the curb of Mansel Avenue.

DEPUTY RYAN CAMPBELL

Deputy Campbell said he was working a Sheriff's black and white patrol vehicle with his partner Deputy Joseph Misplay. Deputy Campbell was the book man and Deputy Misplay was driving. Deputy Campbell told Investigators that he and his partner were at 166th Street and Prairie Avenue [redacted] Deputy Campbell said he heard over the Sheriff's dispatch radio a call of a 5150 and something about someone throwing a bike into traffic. He thought the location was Hawthorne and Manhattan Beach Boulevard. Moments later, Deputy Campbell stated he heard the Sheriff's dispatcher say, "Holding someone at gunpoint." Deputy Campbell and his partner, Deputy Misplay, drove toward Manhattan Beach Boulevard. They came in from the west side of Manhattan Beach Boulevard. While traveling toward that location, Deputy Campbell heard a location of 156th Street and Mansel Avenue being broadcasted. Deputy Campbell and Deputy Misplay drove northbound on Mansel Avenue from Manhattan Beach Boulevard. Deputy Campbell saw several patrol cars were blocking Deputy Misplay's path to the location where the suspect was being held. Deputy Campbell stated that approximately "four doors in" on Mansel Avenue, he exited his vehicle and started running northbound toward three marked Sheriff's patrol vehicles. He was running on the west sidewalk. As he was running on the west sidewalk, Deputy Campbell saw three deputies in front of Sheriff's black and white patrol vehicles. He identified those deputies as Vazquez, Hackett, and Royal. Deputy Campbell observed Deputy Royal on the west side of the street, Deputy Hackett in the middle, and Deputy Vazquez on the east side of the street. Deputy Campbell stated that as he was approaching the three deputies, he could hear the

suspect yelling at the deputies; however, he was not sure exactly what the suspect was yelling. Deputy Campbell saw the suspect standing in middle of the street north of the deputies. Deputy Campbell noticed that the three deputies had their guns pointed at the suspect. Deputy Campbell said he also un-holstered his weapon prior to arriving at the scene. He saw the suspect hitting himself in the head and pointing to the sky. The suspect was also hitting himself in the chest and waist area as he (suspect) looked up and pointed skyward yelling unintelligible words.

Deputy Campbell said he had a clear view of Deputies Royal, Hackett, and Vasquez at this time. He stated that the suspect was not standing still but instead was moving around in the street. Deputy Campbell did not see any cars, pedestrians or other movement on the street in front of him. Deputy Campbell said that Deputies Royal, Hackett, and Vazquez continued to yell at the suspect to get on the ground. He heard one of the deputies (unknown which one) say, "Get a stun bag." Deputy Campbell could not remember whether the deputy yelled it or if he heard it over his radio. Deputy Campbell, upon hearing one of the deputies request a stun bag, asked for a unit with a stun bag to respond to that location over the regular Sheriffs radio dispatch.

Deputy Campbell observed the suspect advance towards the deputies and get within 2 to 3 feet from the deputies. Deputy Campbell said that from the time he ran from his vehicle to the time he reached Deputies Royal, Vazquez, and Hackett, the suspect advanced on the deputies and the deputies shot. He estimated this time frame to be approximately one minute. Deputy Campbell observed the suspect walk towards the deputies, drop his hands towards his waist area, and bend forward at the waist as though he was going to lunge at the deputies. Deputy Campbell's perception was that the suspect had either a mental problem or was on drugs. Deputy Campbell thought something was going to happen when the suspect lunged at the deputies. Deputy Campbell said he lost sight of the suspect's hands as the suspect lunged forward due to the fact his view was blocked by one of the deputies. Deputy Campbell stated that when the deputies shot, he saw the suspect fall to the ground.

Once Fire paramedics arrived, Deputy Campbell stated he ran to the Fire squad to get some latex gloves. Deputy Campbell conducted a pat down search of the suspect for weapons. No weapon was found.

[redacted]

DEPUTY JOSEPH LOUIS VAZQUEZ [redacted]

The following is a synopsis of Deputy Vazquez' interview. He was hired by the Los Angeles County Sheriff's Department in November 1994. On September 14, 2001, he was assigned to a one man patrol unit #35-A (days), assigned to patrol the City of Lawndale. He has been assigned patrol duties in the City of Lawndale for the past year.

During Deputy Vasquez' interview he was asked to elaborate on his prior contacts and knowledge of Suspect Carter. Deputy Vasquez said that between 2 and 3 months ago, he conducted a routine traffic stop of a vehicle driven by Suspect Carter. Deputy Vazquez said, he was driving west on either 160th Street or 161st Street from Grevillea Avenue, when he observed a red Ford Granada

commit a traffic infraction. He contacted the vehicle's driver, Alex Carter, who did not have a California Driver's License in his possession. Suspect Carter gave Deputy Vazquez, an out of state identification card. Deputy Vasquez conducted a search of both Suspect Carter and the interior of vehicle. Marijuana was recovered and the suspect was detained. The vehicle was impounded and an inventory search was conducted. Deputy Vazquez said, he found approximately 50 new wrist watches packaged in boxes inside the trunk of the vehicle. He questioned Suspect Carter regarding the watches. Suspect Carter said, he worked for a watch company located at 182nd Street and Prairie Avenue in the City of Torrance. He provided Deputy Vazquez with the name and telephone number of his employer. Deputy Vazquez said, he used his cellular telephone and contacted and individual at the telephone number provided by Suspect Carter. The individual he spoke to indicated, he did not know Suspect Carter and Suspect Carter was not employed at his business. The individual told Deputy Vazquez that he was not desirous of prosecution against Suspect Carter but did want his merchandise returned to him. Suspect Carter was issued a citation for possession of marijuana and released.

Deputy Vazquez said yesterday, 09-13-01, he assisted Deputy Royal at a business disturbance call on Hawthorne Boulevard. When he arrived the suspect had already left the location. He was later contacted by Deputy Royal and requested to respond to the "Day's Inn Motel" on Hawthorne Boulevard. When he arrived, he observed Deputies Royal and Belmontes talking to Suspect Carter. Suspect Carter was lying on the sidewalk with both hands folded behind his head. At first, he did not recognize Suspect Carter because his hair style was different. Deputy Vazquez said, Suspect Carter immediately recognized him. Suspect Carter stood up from the sidewalk and began asking, "hey what's up man, do you remember me?" Deputy Vazquez said, he did not recognize Suspect Carter until, he mentioned the impounding of the red Ford Granada. He said Suspect Carter stated, "man, you cost me some money, and you cost me my job." Suspect Carter obtained his previously issued citations from his backpack and presented them to Deputy Vazquez.

Deputy Vazquez said that Suspect Carter did not appear to be upset. Suspect Carter told him, "you were doing your job. Everything is cool." He said that Suspect Carter continuously talked and at one point, he started "rapping" about God. Suspect Carter also "rapped" about the deputies losing their jobs for harassing him. Deputy Royal issued him a citation which he signed. Deputy Vazquez noticed Suspect Carter's behavior was strange, but he did not consider PCP intoxication.

Deputy Vazquez said later that afternoon, he was assigned the assist, on a family disturbance call in the [redacted]. Upon arriving, he contacted the reporting parties, a male White adult and two female White adults in the front yard of the residence. The reporting parties, indicated that Alex Carter had been at the location starting problems. They said Alex Carter was acting strange, because he had been smoking PCP. One of the females told them, "I'm his [redacted] and I don't want anything to do with him. He just wanted his clothes. I don't want him to come back."

IAB NOTE: Deputy Vazquez said after he got off work on Thursday (09-13-01), he consulted with a narcotics expert regarding the objective symptoms of (PCP) Phencyclidine intoxication. He said since his assignment at Lennox Sheriffs

Station, he had not had any experience in dealing with persons under the influence of PCP.

Deputy Vazquez said, he was at the Lawndale Service Center, when the call was dispatched. The MDT (mobile dispatch terminal), in his patrol unit was not working. The call was broadcasted as a (Code-3) emergency response, 909- T (traffic hazard), possible 5150 (a male Black throwing a bike in the middle of the street and jumping on vehicles), in the 4500 block of Manhattan Beach Boulevard, City of Lawndale. Because the MDT system was inoperable, he was only able to receive radio communication. He advised the dispatch center that he was rolling Code -3 with a one minute estimated time of arrival. Deputy Vasquez said he contacted Deputy Royal on "L- TAC" radio frequency and asked him to respond. Deputy Vasquez drove west on Manhattan Beach Boulevard and when he crossed Hawthorne Boulevard, he began checking the area for the suspect.

When he arrived at Mansel Avenue, he was flagged down by a male in a Lawndale City truck. The male pointed north on Mansel Avenue while stating, "he just went down that way, a male Black in his twenties." Deputy Vazquez said additional citizens who were in the area, also directed his attention northbound Mansel Avenue towards the suspect. **(See Exhibit - C)** He drove north on Mansel Avenue and observed the suspect, (later identified as Suspect Carter) who was on a moped traveling north in the center of the street. The suspect was seated on an old moped and was using his feet like "Fred Flintstone" to propel the moped. As the suspect reached the halfway point between Manhattan Beach Boulevard and 156th Street, the suspect stopped, got off the moped and let it fall to its side in the middle of the street. **(See Exhibit - D)** Deputy Vazquez said, he stopped his patrol unit approximately 20 feet south of the suspect in the middle of the street. Suspect Carter removed his backpack and dropped it on the pavement. **(See Exhibit - E)** Deputy Vazquez said, the suspect threw both hands above his head and started pacing back and forth across the street, while intermittently banging the side of his head with both hands. The suspect's head and face was covered with sweat. Deputy Vazquez said, the suspect was wearing a dark blue sweatshirt, and what appeared to be dark colored casual pants. Deputy Vazquez said he exited his patrol unit, and stood inside the open driver's door, drew his firearm and ordered the suspect to lay prone on the pavement.

He then moved a few feet in front of the patrol unit. The suspect was approximately 15 feet northwest of him at this time. Deputy Vasquez said the suspect sat on his buttocks facing south and then began pointing his index fingers towards the sky and at Deputy Vazquez, while mumbling incoherently. Suspect Carter then laid on his back and began making other hand gestures including, pointing his index fingers towards the sky and at Deputy Vazquez. Suspect Carter finally crossed his legs and folded both hands behind his head and laid flat on the pavement. Deputy Vazquez said, he instructed the suspect to spread his legs apart. The suspect replied by sitting up and giving Deputy Vazquez the "finger" and grabbing his crotch. The suspect was staring directly at Deputy Vazquez, however; he did not speak. Deputy Vazquez said, at this point, he requested immediate assistance.

Deputy Vazquez said, he recognized the suspect from his prior contact with him on Thursday, 09-13-01, wherein; he assisted Deputy Royal in issuing the suspect a citation. Deputy Vazquez said, he began addressing the suspect as "Carter." He instructed the suspect to "lay down on the

pavement, face down, and lay on your belly." The suspect replied by standing to his feet, looking around and returning to a seated position on the pavement. The suspect arbitrarily stood up and sat down several times before Deputy Royal arrived on scene. Deputy Vazquez said, Deputy Royal arrived and took a position in the street west of him. Deputy Royal drew his firearm and pointed it at Suspect Carter. When Deputy Royal arrived, the suspect was pacing back and forth in the street. Suspect Carter walked back to his moped, stood it upright and began pushing it. Shortly after, he let go of the moped causing it to fall onto its side again and began to walk away from it. Suspect Carter continued walking back and forth on the street and eventually laid back down. Deputy Vazquez said as this was occurring, he and Deputy Royal moved north closer to the suspect. Deputy Vazquez instructed the suspect to lay on the pavement, but the suspect was non-responsive.

Deputy Hackett then arrived on scene and approached with his firearm drawn. Deputy Vazquez said, he heard someone make a radio broadcast requesting a stun bag shotgun. He said he saw Deputy Royal un-holster his OC spray. He told Deputy Royal not to deploy the OC spray. He said the direction of the wind would have blown the OC spray on them rather than the suspect, affording the suspect the opportunity to take advantage of them. Deputy Vazquez said, the suspect's actions led him to believe he was under the influence of PCP or some other type of dangerous drugs.

> **IAB NOTE: During the interviews with Suspect Carter's [redacted], they both stated that due to Suspect Carter's behavior lately they both believed that he had been using Phencyclidine. Also, the Coroners report indicated that Phencyclidine was present in Suspect Carter's system.**

Suspect Carter stood up from the pavement and moved towards the east curb. Although the deputies were yelling at him to return to the pavement, he ignored them. All of a sudden Suspect Carter stopped and addressed Deputy Vazquez. The suspect extended his arm while thrusting his index finger towards Deputy Vazquez and stated, "you don't say anything to me bitch." Suspect Carter behavior rapidly became very bizarre as he stared to hit his head with the palms of both hands several times, while inching towards the deputy's position. As he struck his head, Suspect Carter walked forward closing the distance between himself and Deputy Vazquez. Deputy Vazquez said his gun was drawn and pointed at the Suspect Carter, who seemed to fixated on Deputy Vazquez' firearm. The suspect bent forward at the waist into a crouching position and quickly sprinted towards Deputy Vazquez. Deputy Vazquez said he thought the suspect was going to produce a weapon and kill him or disarm him and use his firearm against him. Deputy Vazquez said, he believed from the way Suspect Carter charged him, and after observing his actions, there was no way the three of them (Vazquez, Royal and Hackett) could have taken the suspect on. Deputy Vazquez said he felt his life was threatened and therefore discharged his firearm, striking the suspect in the mid torso. Deputy Vazquez said, he discharged his firearm 4 times while stepping backwards. When he fired, the suspect was within arms reach and was still approaching. He said he heard additional simultaneous gunfire aside from the shots he fired. He saw the suspect fall to the pavement.

Deputy Vazquez said, when he fired his weapon the suspect was within 3 feet (arms reach) of his person. The suspect's movements towards him occurred in a fraction of a second. The suspect was

quickly sprinting towards him. Both of his hands were concealed into the front waistband of his pants. The suspect was gazing directly at Deputy Vazquez' firearm, as he aggressed towards him. Deputy Vazquez said, he believed the suspect had a weapon. He also believed if the suspect did not possess a weapon, the suspect would have disarmed him and used his firearm against him and Deputies Royal and Hackett. He was afraid he would be killed and he shot Suspect Carter to protect himself and his fellow deputies.

Deputy Vasquez requested the patch and advised he had been involved in a shooting, the suspect was down and rescue was needed. He requested that several surrounding intersections be closed to traffic. Deputy Vazquez said, he continued to hold the suspect at gunpoint until additional back-up units arrived.

DEPUTY JAMES ROYAL

The following is a synopsis of Deputy Royal's interview. Deputy Royal said, he was hired by the Los Angeles County Sheriffs Department in July 1995. He has been assigned to the Lennox Station, since September 2000. On 09-14-01, he worked a one man patrol unit #35 (days), assigned to patrol the City Lawndale.

Deputy Royal said earlier this date, he received a call to assist unit #35-A (Deputy Vazquez). The call advised of a suspicious person, traffic hazzard, possible 5150, mentally ill person in the area of Manhattan Beach Boulevard and Mansel Avenue. He started driving towards the location and while en-route, he heard Deputy Vazquez make an emergency broadcast. Deputy Vazquez advised he was holding a suspect at gunpoint and was requesting immediate assistance. Dep Royal was in close proximity and arrived in a matter of seconds. Deputy Royal said, as he arrived northbound on the [redacted] of Mansel Avenue, he observed Deputy Vazquez pointing his gun at a male Black adult (later identified as Suspect Carter). Deputy Royal focused on Deputy Vazquez and the suspect who was in the street north of Deputy Vazquez. He believed Deputy Vazquez' patrol unit was parked towards the right (east) curb of Mansel Avenue. He parked his patrol unit towards the left (west) curb. **(See Exhibit - F)** Because he was responding to an assistance request, wherein; Deputy Vazquez was detaining the suspect at gunpoint, Deputy Royal removed his firearm as he exited his patrol unit.

Deputy Royal said that Deputy Vazquez was positioned towards the front of his patrol unit. Deputy Vazquez was instructing the suspect to "lay down, turn over, lay face down, stay down, don't get up." The suspect was standing in the street facing south. He was slightly right (east) of the center of the street, between 10 and 15 feet north of Deputy Vazquez. There was a moped, backpack and additional articles of clothing, in the street north of the suspect. Deputy Royal said he took a position towards the front of his patrol unit, west of Deputy Vazquez. The suspect appeared to be extremely agitated, sweating profusely and making continuous motions with his arms. He said the suspect was wearing sweats or jeans with a jacket or sweater. Deputy Royal said Deputy Hackett arrived on scene after him. He was not sure of the time lapse, between his arrival and Deputy Hackett's arrival. He did not know where Deputy Hackett parked his patrol unit. Deputy Hackett assumed a position to his right. He observed Deputy Hackett in his peripheral vision. He also saw Deputy Hackett

pointing his firearm at the suspect.

He recognized the suspect from previous contacts. He had prior information that the suspect was a PCP user. **(See Exhibit -A)** He noticed the suspect was exhibiting symptoms of PCP intoxication, IE: sweating, non-cooperative, agitated behavior, etc. and based on his training and experience, he formed the opinion the suspect was under the influence of PCP and or other controlled substances. Deputy Royal said, the suspect continually ignored Deputy Vazquez' instructions to lay down and to remain on the ground. The suspect stood up from the pavement, and returned to the pavement on several occasions. He was continuously making hand gestures and he appeared to be very agitated. Deputy Royal said, he did not want to distract the suspect by simultaneously giving orders with Deputy Vazquez. Deputy Royal told the suspect to, "stay on the ground, don't get up. If you get up, we'll use whatever force necessary." Deputy Royal said at one point, the suspect looked directly at Deputy Vazquez and pointed his finger at Deputy Vazquez. The suspect told Deputy Vazquez, "don't fucking talk to me, I'm going to get you."

Deputy Royal said, the suspect moved from his seated position using his arms to thrust himself upwards. He estimated the suspect was between 10 and 15 feet away from Deputy Vazquez. The suspect immediately bent forward at the waist and in one continuos motion, moved towards his left, while concealing both hands inside the front waistband of his pants. The suspect stared at Deputy Vazquez and immediately, "took off towards him." It initially appeared as though, the suspect was reaching into his pants waistband for a weapon, but the suspect turned and dashed directly towards Deputy Vazquez. It took the suspect a fraction of a second, to close the distance on Deputy Vazquez. Deputy Royal said the suspect's movements resembled, a football running back taking a handoff from the quarterback, faking to the left, while tucking both hands into his waistband and sprinting forward. Deputy Royal said, he thought the suspect had a weapon secreted in the waistband of his pants. The suspect's hands remained concealed throughout his movements. Deputy Royal said he took two or three steps backwards, while firing at the suspect three times to protect himself, Deputy Vazquez and Deputy Hackett. He estimated the suspect was within 1 to 2 feet from Deputy Vazquez, when he fired. He did not see if Deputies Vazquez or Hackett, had also retreated prior to firing. He did not know, how many times Deputies Vazquez or Hackett fired their weapons, but all the gunfire was simultaneous. **(See Exhibit - G)**

Deputy Royal said his bullets seemed to stop the suspect. After the suspect was shot, he did not advance any further, but he did not immediately fall down. He kept his gun pointed at the suspect, because he was expecting the suspect to continue his attack. Deputy Vazquez was still yelling at the suspect to lay on the ground. The suspect took a couple of steps backwards and stumbled east, a short distance and fell in the street, west of the (east) curb. **(See Exhibit - H)** The suspect was lying on his right side facing south. Deputy Royal characterized the suspect as non-cooperative after the shooting. Deputy Royal said following the shooting, he made several emergency radio broadcasts regarding the shooting incident. He requested medical aid and rescue personnel for the suspect. In addition, he coordinated the arrival and direction of assisting units.

Deputy Royal was asked if he recalled hearing a request for less lethal firearms deployment, prior to the shooting. Deputy Royal said prior to the shooting, he heard Deputy Hackett make a radio

broadcast for a stun bag shotgun. He requested a Supervising Patrol Sergeant also to respond to Deputy Vazquez' initial call for assistance. Deputy Royal said, he had a stun bag shotgun in the trunk of his patrol unit. He was not aware if Deputies Vazquez or Hackett's patrol units contained stun bag shotguns. Deputy Royal was asked, if he considered retrieving his stun bag shotgun from his patrol unit prior to the shooting. Deputy Royal said, "absolutely not." He explained his thought process and mental state was focused on prior knowledge, that the suspect was under the influence of PCP. The suspect was highly agitated and displaying obvious objective symptoms consistent with PCP intoxication. He said it would have been unsafe to leave Deputy Vazquez alone with the suspect for any period of time, to retrieve the stun bag shotgun. Shortly after Deputy Hackett arrived on scene, Deputy Hackett requested the stun bag shotgun, but the suspect charged Deputy Vazquez seconds later. Deputy Royal said shortly after his arrival on scene, he removed his OC spray from its holster but put it back. He briefly considered deploying the OC spray, but quickly re-evaluated his decision. He said the suspect was too far away. They wanted to maintain their distance until additional help arrived. In addition, the wind direction was blowing towards their direction, and would have blown the OC spray at them.

DEPUTY ANTHONY HACKETT

The following is a synopsis of Deputy Hackett's interview. Deputy Hackett said, he was hired by the Los Angeles County Sheriffs Department in November 1997. [redacted] He has been assigned to the Lennox Sheriffs Station since April 2001. [redacted] He currently works patrol for the City of Lawndale. On 09-14-01 he was assigned to a one man patrol unit #34 (days), assigned to patrol the Gardena County area.

Deputy Hackett said between 1220 and 1240 hours, on 09-14-01, he was at [redacted]. He was out of his patrol unit talking to citizens, he heard Sheriff Communication Center repeating that a Lawndale unit was detaining an individual at gunpoint and requesting backup. Deputy Hackett said, he was approximately 30 seconds away. He immediately responded to Mansel Avenue and Manhattan Beach Boulevard. **(See Exhibit - I)** When he arrived at the intersection, he did not see any Sheriffs units. He finally looked north on Mansel Avenue and observed two deputies standing in the street. The deputies had their firearms pointed at an individual (Suspect Carter), who was lying on the pavement. He responded and as he got closer, he recognized Deputies Vazquez and Royal.

Deputy Hackett said, there was one patrol unit facing north in the middle of the street and a patrol unit towards the west curb. He parked his patrol unit facing north towards the east curb. He exited his patrol unit and immediately un-holstered his firearm focusing on the suspect. Deputy Vazquez was standing in the street, north of the patrol unit and a short distance west of the east curb. Deputy Royal was towards the west curb. He assumed a position between Deputies Vazquez and Royal. Deputy Vazquez was yelling commands at the suspect. The suspect was lying on the pavement, rolling back and forth on his back and stomach. There was a moped in the street, north of the suspect. He observed a backpack laying on the pavement, southeast of the suspects position. **(See Exhibit - J)** Deputy Hackett said, the suspect was approximately 10 or 15 feet north of them. He

could not recall the distance they traveled, when they moved north. The suspect continued rolling back and forth on the pavement, "flipping people off," hitting his head with his hands and banging on his chest. The suspect appeared to be focusing most of his attention towards Deputy Vazquez. On several occasions, the suspect looked directly at Deputy Vazquez and said "fuck you" as if he, had a personal vendetta against him. Deputy Hackett said he heard Deputy Vazquez repeat numerous instructions to Suspect Carter, "lay down on the ground. Lay down on your stomach." The suspect was not complying. The suspect stood up from the pavement and faced the deputies.

Deputy Hackett said that he saw Deputy Royal remove his OC spray and he appeared to have been preparing to use it against Suspect Carter. Deputy Hackett said, Deputy Royal was near the west curb. He was east of Deputy Royal and Deputy Vazquez was east of him. They were facing north towards the suspect. There was a strong breeze blowing from west to east. He said, he cautioned Deputy Royal not to deploy the OC spray, because the wind direction would have blown the OC spray on them. Instead, he requested assisting units to bring a stun bag shotgun. He said, the suspect was standing and appeared to be somewhat compliant. He thought, "assisting units would arrive sooner than they did."

Deputy Hackett said the suspect returned to the pavement. The suspect was still hitting himself in the head with both hands and "flipping them off." The suspect appeared incoherent and was sweating profusely. The suspect also exhibited additional symptoms of narcotics intoxication. Deputy Hackett said, the suspect laid down and rolled around on the pavement for a minute. Suddenly, the suspect stood up from the pavement, directly in front of Deputy Vazquez. The suspect was beating on his chest with both hands. The suspect reached into the waistband of his pants, crouched forward and ran towards Deputy Vazquez. The suspect's pants pockets were bulging and appeared to possibly be concealing a weapon. He and Deputy Vazquez both took several steps backward. The suspect's movement towards them was very fast. Deputy Hackett said he shot the suspect as he ran towards Deputy Vasquez because he thought the suspect was going to kill Deputy Vazquez. Deputy Hackett said, he believed he discharged his firearm once. He did not know if his bullet struck the suspect. He estimated the suspect was between 4 and 7 feet from Deputy Vazquez when he fired. He did not know how many times, Deputies Vazquez or Royal had fired their weapons. The gunfire was simultaneous. Once the suspect was down on the pavement, they (Hackett and Vazquez) covered the suspect, while Deputy Royal requested assistance over the radio.

Deputy Hackett said upon arriving at the scene, he recognized the need for less lethal weapons deployment and made several radio requests. His patrol unit was not equipped with a stun bag shotgun. He was not aware if Deputies Vazquez or Royal's patrol units were stun bag equipped. He said in his opinion, there was no way any of them could have backed away from the situation, to retrieve a stun bag shotgun. He said, the suspect would have immediately taken advantage of that opportunity and "attacked them earlier."



IAB NOTE: Although none of the deputies involved in the shooting said that they saw the Suspect using or displaying any type of "Karate or Kung Fu" moves, several civilian witnesses described the suspects actions as that of "Karate or Kung Fu" moves.

INJURIES:

DOCTOR RAFFI DJABORIAN, CORONER
LOS ANGELES MEDICAL EXAMINER'S OFFICE

Doctor Djaborian collected tissue/org(1n and fluid samples for toxicology analysis) Suspect Carter's blood and urine samples tested positive for Phencyclidine, indicating Suspect Carter was under the influence at the time of his death. The cause of death was determined to be homicide due to multiple gunshot wounds. Doctor Djaborian will prepare a coroner's protocol detailing his findings during autopsy, **(See Exhibit -A)** During this examination, Doctor Djaborian recorded seven gunshot wounds.

Gunshot wound #1 was described as entering the center abdomen, traveling front to back and downward. This gunshot wound was potentially fatal.

Gunshot wound #2 was described as entering the lateral right shoulder and exiting the right posterior arm. The path of gunshot wound #2 was described as front to back and downward.

Gunshot wound #3 was described as superficial, entering the right distal medial, right arm and exiting the right arm distal anterior medial.

Gunshot wound #4 was described as entering the right lateral back and exiting the right lateral chest. The path of this gunshot wound was described as back to front and upward.

Gunshot wound #5 was described as entering the right lateral buttocks and exiting the right lateral thigh. The path of this gunshot was described as left to right, back to front and slightly downward. This gunshot wound was potentially fatal in nature.

Gunshot wound #6 was described as entering the right posterior thigh and exiting the right anterior thigh. The path of this gunshot was described as right to left, back to front and slightly downward.

Gunshot wound #7 was described as entering the left anterior foot and exiting the left posterior foot.

INVESTIGATIVE SUMMARY- ADDENDUM

INVESTIGATIVE SUMMARY - ADDENDUM
USE OF FORCE
DEPUTY INVOLVED HIT SHOOTING
IAB IV#2073234

On August 22, 2002, the Executive Force Review Committee was presented with Internal Affairs Bureau Case FO#2045400. It was determined by the committee that Deputies Joseph Vasquez, James Royal and Anthony Hackett [redacted]

On October 18, 2002 all three deputies involved were interviewed at Internal Affairs Bureau. Their interviews were taped recorded and the following is a summary of the interviews. **(See attached transcribed interviews.)**

JOSEPH VASQUEZ

Deputy Vasquez' interview was basically the same as the first interview the day of the incident with Homicide Bureau. Key points discussed with Deputy Vasquez were his tactical positioning versus the suspects. Use of less than lethal weapons options and wether he recalled or ordered the suspect to lift his shirt exposing his mid section.

Deputy Vasquez said that when he arrived on Mansel Avenue he saw the suspect pushing a moped. The suspect stopped on his own, turned towards Deputy Vasquez and threw the moped onto the ground. He started acting very bizarre and appeared to be under the influence of Phencyclidine. Deputy Vasquez said he immediately exited his car and walked around the front of his car and stood near the front side passenger bumper. He said he had his weapon drawn and was giving the suspect orders to lay down and place his hands behind his head. He said the reason he moved from behind his drivers door to the front passenger side bumper is because he felt he would have a better tactical advantage if the suspect drew a handgun. Deputy Vasquez explained that most of the population is right handed and he wanted the suspect to have to cross his body with his arm if he drew down on him. This would give Deputy Vasquez the tactical edge if he needed to confront the suspect.

Deputy Vasquez said that he does not remember ever asking the suspect to lift his shirt. He said that it's possible that he asked but does not remember. He does not remember ever seeing the suspect lift his shirt exposing his mid section.

Deputy Vasquez was asked if he considered using any other less than lethal options before deadly force was considered. Deputy Vasquez said that he did not use his baton because there were not enough personal present at the scene to make it safe for him to use and he did not know if the suspect was armed with a handgun. He was asked about a taser or M-26. He said he does not

carry either and he did immediately notify 30S of the situation and the need for the taser at the scene, but unfortunately he did not make it in time for it to be deployed. Deputy Vasquez said that he did not carry a stunbag in his car but he said that the situation was so vulnerable that he believed it would have been unsafe for any of them to leave and go to their car to retrieve the stunbag. He said that they advised the responding units to deploy a stunbag, this also did not make it in time. Oleoresin Capsicum spray was another idea but after noticing the suspects distance and the wind direction it was agreed that it would not be used.

I asked Deputy Vasquez if prior to the shooting he saw the suspect making any type of "Karate " style kicks. He said he could have because his movements were very fast. He said that depending on observers perception and distance they could have easily thought that they were "Karate" type moves.

Deputy Vasquez said he felt everything possible, given the circumstances, was done and it was unfortunate that the outcome of the incident could not have ended differently. **(See Exhibit - N, deputy and suspect positions)**

ANTHONY HACKETT

Deputy Hackett's interview was basically the same as the first interview the day of the incident with Homicide Bureau. Key points discussed with Deputy Hackett were the use of less than lethal weapons options and wether he recalled or ordered the suspect to lift his shirt causing him to expose his mid section.

Deputy Hackett said he did not remember if he was carrying a stun bag in his car but he said that he would have never left to get it and left his partners alone with the suspect. Deputy Hackett said that he carried the expandable baton that day, but chose not to use it because he did not want to encounter a suspect who he thought was on Phencyclidine with a baton. He also felt that they did not have enough personnel at the location to engage in a physical altercation with the suspect. Deputy Hackett does remember requesting the next unit to arrive to bring a stunbag. He said that he saw Deputy Royal with is Oleoresin Capsicum spray out. He told Deputy Royal that the wind was blowing in their direction, so he did not use it. He did not have a taser available to him but knows that one was requested.

I asked Deputy Hackett if he ever saw the suspect lift his shirt exposing his "belly" or mid section. He said that he never saw him lift his shirt nor did he or any of the other deputies order him to lift it. He only remembers ordering him to show his hands.

I asked Deputy Hackett if prior to the shooting he saw the suspect making any type of "Kun-Fu" style kicks. He said he could have because his movements were erratic and uncontrollable where one can describe them as that of "Kung-Fu" moves.

Deputy Hackett said, "I wish there was something else that could have been done, but unfortunately, there wasn't." **(See Exhibit - O, deputy and suspect positions)**

JAMES ROYAL

Deputy Royal's interview was basically the same as the first interview the day of the incident with Homicide Bureau. Key points discussed with Deputy Royal were the use of less than lethal weapons options and wether he recalled or ordered the suspect to lift his shirt causing him to expose his mid section.

Deputy Royal said he arrived at the location and saw the suspect, who he recognized from prior contacts. He said the suspect was acting as if he was on Phencyclidine, he was sweating, acting bizarre, agitated, and very aggressive. He was not complying with verbal commands that were being given by Deputy Vasquez. Deputy Royal said that at one point he retrieved his Oleoresin Capsicum Spray, but did not use it because he realized that he would have to close the distance between himself and the suspect and because the wind was blowing towards the other deputies at the scene. He said he also thought to use his baton but did not use it because of the fact that he would also have to close the gap in order to engage the suspect.

Deputy Royal did not have a Taser available to him but did request one from the sergeant responding. He had a stunbag in his vehicle. I asked him why he did not retrieve it. He said, "I'm going to reduce our tactical advantage if I retreat. So it was considered, but I didn't feel it was safe or reasonable to retreat and I didn't bring it out initially because I didn't know if he was armed or what we even had."

Deputy Royal said that he never or did he ever hear any of the other deputies telling the suspect to lift his shirt. He said he never saw the suspects exposed mid- section. **(See Exhibit - P, deputy and suspect positions)**

WITNESS [redacted]

On November 18, 2002, Witness [redacted] was re-interviewed. Witness [redacted] was asked questions regarding her observations in regards to the suspect lifting his shirt. During her interview Witness [redacted] said that she never heard the deputies ordering the suspect to lift his shirt. She could hear them talking to him but could not make out was said. Witness [redacted] said that the suspect was acting very bizarre and uncontrollable. She said he continually threw his hands up in the air, walked around, laid on the ground and then would get up and do it all over again.

Witness [redacted] said that she did see the suspect lift the front of his shirt, but it was very quick. Her opinion, because of the suspects rapid movements, is that the deputies would not have been able to see if the suspect was concealing a weapon in his waist. She said that he was wearing multiple shirts (three) and she believes he only raised one of them, he never exposed his "belly." Witness [redacted] also said that the suspect never exposed his lower back area to the deputies. Witness [redacted] said that the deputies did everything they could to prevent the incident but the suspect backed them up until they had no place to go.

WITNESS [redacted]

On November 25, 2002, I conducted a telephonic interview with Witness [redacted] regarding her observations of the suspects actions on the day of the incident. Witness [redacted] said that she is sure she saw the suspect lift his shirt exposing his "belly." The suspect then turned around and showed the deputies his back. Witness [redacted] said that their were approximately ten deputies at the scene prior to the suspect lifting his shirt. She was approximately three or four houses south of the suspect, standing in the front yard of her boyfriends house, and the suspect was in the middle of the street when she saw him lift his shirt. She does not recall the suspects actions prior to the shooting. Witness [redacted] had encountered the suspect on Manhattan Beach Boulevard minutes prior and she described his behavior as, "aggressive."

WITNESS [redacted]

On November 25, 2002, I conducted a telephonic interview with witness [redacted] regarding his observations of the suspects actions on the day of the incident. Witness [redacted] said that he was inside his residence when Witness [redacted] entered and told him and his son that their was a man outside acting crazy. Witness [redacted] walked outside and saw a man standing in the middle of the street and three deputies in front of him. He said the man was acting crazy waiving his arms up in the air and not following directions.

I asked Witness [redacted] to describe to me the actions of the suspect when he lifted his shirt exposing his mid section. He said that the suspect continually walked from side to side and ignored the deputies. He said he saw the suspect lift his shirt and expose his back to the deputies. When the suspect lifted his shirt he was turned away from the deputies. He said that if the suspect was concealing a weapon there could have been no way the deputies would have been able to see it, because his back was turned the entire time his shirt was lifted.

Witness [redacted] said that he then saw the suspect "lunge" towards the deputy in the middle of the street. As the suspect "lunged," the deputies were yelling for him to get down. He said the suspect did not comply and the deputies shot him.